

111TH CONGRESS  
1ST SESSION

# H. R. 1740

To amend the Public Health Service Act to increase awareness of the risks of breast cancer in young women and provide support for young women diagnosed with breast cancer.

---

## IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2009

Ms. WASSERMAN SCHULTZ (for herself, Mrs. MYRICK, Ms. DELAURO, Mrs. CHRISTENSEN, Ms. BEAN, Ms. PELOSI, Ms. BORDALLO, Mr. SERRANO, Mrs. CAPPS, Mr. WEINER, Mr. WEXLER, Mr. TONKO, Mr. DAVIS of Alabama, Mr. SABLON, Ms. MCCOLLUM, Mr. BERMAN, Ms. ROS-LEHTINEN, Mr. BACA, Mr. HASTINGS of Florida, Mr. MEEK of Florida, Ms. CASTOR of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Mr. KLEIN of Florida, Ms. FUDGE, Ms. SCHAKOWSKY, Ms. JACKSON-LEE of Texas, Mr. MAFFEI, Mr. LARSON of Connecticut, Ms. SUTTON, Mr. CUMMINGS, Mr. BURTON of Indiana, Mr. POE of Texas, Ms. LEE of California, Mr. MOORE of Kansas, Mr. MARIO DIAZ-BALART of Florida, Ms. MARKEY of Colorado, Ms. CLARKE, Mr. PERRIELLO, Ms. KOSMAS, Ms. MATSUI, Mr. GENE GREEN of Texas, Ms. HIRONO, Mrs. MCCARTHY of New York, Mr. BOREN, Mrs. DAVIS of California, Mr. NADLER of New York, Mrs. DAHLKEMPER, Ms. SCHWARTZ, Ms. EDWARDS of Maryland, Ms. KILPATRICK of Michigan, Mr. MURTHA, Ms. BALDWIN, Ms. HARMAN, Mrs. EMERSON, Mr. HODES, Mr. HALL of New York, Mr. FATTAH, Mrs. TAUSCHER, Ms. NORTON, Mr. CONYERS, Mr. RYAN of Ohio, Mr. JONES, Mr. BRALEY of Iowa, Ms. TITUS, Mr. VAN HOLLEN, Mr. ARCURI, Mr. WELCH, Ms. HERSETH SANDLIN, Mr. NYE, Mr. CARNEY, Mrs. KIRKPATRICK of Arizona, Mr. DOGGETT, Ms. KILROY, Mr. BARROW, Ms. LINDA T. SÁNCHEZ of California, Mr. WALZ, Mr. DONNELLY of Indiana, Mr. BECERRA, Mr. SCHIFF, Mr. SCHAUER, Mr. HINCHEY, Mrs. LOWEY, Mr. PERLMUTTER, Mr. ELLISON, Mr. TEAGUE, Mr. COHEN, Mr. DOYLE, Mr. MITCHELL, Mr. SESTAK, Mr. MCMAHON, Mr. OLVER, Mr. SHULER, Mr. THOMPSON of California, Ms. KAPTUR, Mr. MASSA, Mr. REYES, Mrs. MALONEY, Mr. WAXMAN, Ms. SHEA-PORTER, Mr. BOYD, Mr. DICKS, Mr. LATOURETTE, Mr. OBEY, Mr. WAMP, Mr. PRICE of North Carolina, Mr. MANZULLO, Mrs. BONO MACK, Mr. POSEY, Mr. STEARNS, Mr. TIERNEY, Mr. ISSA, Mr. MACK, Mr. SCOTT of Georgia, Mr. CLYBURN, Mr. CHILDERS, Mr. CLEAVER, Mr. LUJÁN, Mr. FOSTER, Mr. KANJORSKI, Ms. SPEIER, Mr. HOYER, Ms. RICHARDSON, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. MURPHY of Connecticut, Mr. BOCCIERI, Mr. WIL-

SON of Ohio, Mr. NEAL of Massachusetts, Mr. PALLONE, Mr. KRATOVIL, Mr. AL GREEN of Texas, Mr. PUTNAM, Mrs. HALVORSON, Mr. KIND, Mr. KILDEE, Mr. KENNEDY, Mr. BOOZMAN, Mrs. BIGGERT, Mr. LANCE, Mrs. McMORRIS RODGERS, Mr. YARMUTH, Mr. SHIMKUS, Mr. CARNAHAN, Mr. LOEBACK, Mr. REHBERG, Mr. ALEXANDER, Mr. HEINRICH, Mr. SIRE, Mr. ELLSWORTH, Mr. MATHESON, Mr. TAYLOR, Mr. BURGESS, Mrs. BLACKBURN, Ms. GINNY BROWN-WAITE of Florida, Mr. BARTON of Texas, Mr. CLAY, Mr. HONDA, Mr. FRANK of Massachusetts, Ms. WOOLSEY, Mr. FORTENBERRY, Mr. CRENSHAW, Mr. SAM JOHNSON of Texas, Mr. CULBERSON, Mr. MARCHANT, Mr. LUCAS, Mr. SMITH of Texas, Mr. KIRK, Mrs. CAPITO, Mr. GONZALEZ, Mr. FALCONE, Mr. LATHAM, Mr. CANTOR, Ms. FALLIN, Ms. WATERS, Mr. MELANCON, Ms. ZOE LOFGREN of California, Mr. OBERSTAR, Mr. RAHALL, Mr. PASTOR of Arizona, Mr. HIMES, Mr. BUYER, Mr. PAYNE, Mr. COSTELLO, Mr. TURNER, and Mr. PRICE of Georgia) introduced the following bill; which was referred to the Committee on Energy and Commerce

---

## A BILL

To amend the Public Health Service Act to increase awareness of the risks of breast cancer in young women and provide support for young women diagnosed with breast cancer.

1       *Be it enacted by the Senate and House of Representa-*  
 2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Breast Cancer Edu-  
 5       cation and Awareness Requires Learning Young Act of  
 6       2009” or “EARLY Act”.

7       **SEC. 2. YOUNG WOMEN’S BREAST CANCER AWARENESS**  
 8       **AND SUPPORT.**

9       Title III of the Public Health Service Act (42 U.S.C.  
 10      241 et seq.) is amended by adding at the end the fol-  
 11      lowing:

1       **“PART S—PROGRAMS RELATING TO BREAST**  
2                                   **CANCER**

3       **“SEC. 399HH. YOUNG WOMEN’S BREAST CANCER AWARE-**  
4                                   **NESS AND SUPPORT.**

5           “(a) PUBLIC EDUCATION CAMPAIGN.—

6                   “(1) IN GENERAL.—The Secretary, acting  
7           through the Director of the Centers for Disease  
8           Control and Prevention, shall conduct a national evi-  
9           dence-based education campaign—

10                       “(A) to increase public awareness regard-  
11           ing the threats posed by breast cancer to young  
12           women of all ethnic and cultural backgrounds,  
13           including the particular risks faced by certain  
14           ethnic and cultural groups; and

15                       “(B) focusing on awareness of risk factors  
16           of breast cancer among young women and  
17           achieving early detection of breast cancer  
18           among young women through community-cen-  
19           tered informational forums, public service ad-  
20           vertisements, and media campaigns.

21                       “(2) AUTHORIZED ACTIVITIES.—In conducting  
22           the education campaign under paragraph (1), the  
23           Secretary may—

24                       “(A) make public announcements targeted  
25           towards young women with the goal of edu-  
26           cating them that breast cancer occurs in young

1 women and the steps they can take to recognize  
2 their individual risk factors and ensure early  
3 detection of breast cancer, ensuring that such  
4 messaging is age-appropriate;

5 “(B) provide education, through written  
6 materials, identifying evidence based methods to  
7 lower the risk of breast cancer in young women  
8 through changes in lifestyle including diet, exer-  
9 cise, and environmental factors;

10 “(C) conduct other activities determined by  
11 the Secretary to promote educational aware-  
12 ness, early detection, and risk-reducing prac-  
13 tices among young women and increase the  
14 number of young women with breast cancer  
15 warning signs who seek immediate care;

16 “(D) award grants, contracts, or coopera-  
17 tive agreements to appropriate State agencies  
18 to carry out secondary school and university  
19 education campaigns, focusing on breast cancer  
20 awareness among young women;

21 “(E) develop and distribute to young  
22 women, physicians, and other appropriate  
23 health care professionals, educational mate-  
24 rials—

25 “(i) designed for young women;

1 “(ii) relating to particular risk factors  
2 for breast cancer in women under the age  
3 of 40;

4 “(iii) identifying methods for increas-  
5 ing early detection, including clinical  
6 breast exams, blood component analysis,  
7 and where there is a increased risk of  
8 breast cancer due to ethnic background,  
9 genetic mutations, or other risk factors,  
10 other predictive tools such as genetic coun-  
11 seling and testing;

12 “(iv) identifying methods for increas-  
13 ing self awareness, including breast self  
14 exams, learning how to perform such  
15 exams, and knowing the signs of breast  
16 malignancies;

17 “(v) identifying evidenced based meth-  
18 ods to lower the risk of breast cancer  
19 through changes in lifestyle, including diet,  
20 exercise, and environmental factors;

21 “(vi) identifying available treatment  
22 options for breast cancer; and

23 “(vii) for young women who have been  
24 diagnosed with breast cancer, health infor-

1                   mation from credible sources that provides  
2                   information on—

3                   “(I) fertility preservation;

4                   “(II) support, including social,  
5                   emotional, psychosocial, financial, life-  
6                   style, and caregiver support;

7                   “(III) familial risk factors; and

8                   “(IV) risk reduction strategies to  
9                   reduce recurrence or metastasis; and

10                  “(F) carry out a health education program  
11                  targeted to specific higher-risk populations of  
12                  young women based on race, ethnicity, level of  
13                  acculturation, and family history, including the  
14                  African-American and Ashkenazi Jewish popu-  
15                  lations under 40 years of age.

16                  “(3) MEDIA CAMPAIGN.—In conducting the  
17                  education campaign under paragraph (1), the Sec-  
18                  retary shall award grants to entities to establish na-  
19                  tional multimedia campaigns oriented to young  
20                  women that—

21                  “(A) will encourage young women to be  
22                  aware of—

23                  “(i) their personal risk factors, includ-  
24                  ing by talking to their medical practitioner  
25                  about those risks;

1 “(ii) strategies for increasing early de-  
2 tection, including clinical breast exams,  
3 and where there is a increased risk of  
4 breast cancer due to ethnic background,  
5 genetic mutations, or other risk factors,  
6 other predictive tools such as genetic coun-  
7 seling and testing;

8 “(iii) strategies for increasing self  
9 awareness, including doing breast self  
10 exams, learning how to perform such  
11 exams, and knowing the signs of breast  
12 malignancies;

13 “(iv) evidence based preventative life-  
14 style changes, including eating healthily  
15 and maintaining a healthy weight; and

16 “(v) other breast cancer early detec-  
17 tion and risk reduction strategies deter-  
18 mined appropriate by the Secretary;

19 “(B) will encourage young women of spe-  
20 cific higher-risk populations based on race, eth-  
21 nicity, level of acculturation, and family history,  
22 including the African-American and Ashkenazi  
23 Jewish populations under 40 years of age to  
24 talk to their medical practitioners about those  
25 risks and methods for appropriate screening

1 and surveillance, including available genetic  
2 testing and counseling; and

3 “(C) may include advertising through tele-  
4 vision, radio, print media, billboards, posters,  
5 all forms of existing and emerging social net-  
6 working media, other Internet media, and any  
7 other media determined appropriate by the Sec-  
8 retary.

9 “(4) ADVISORY COMMITTEE.—

10 “(A) ESTABLISHMENT.—Not later than 60  
11 days after the date of the enactment of this sec-  
12 tion, the Secretary, acting through the Director  
13 of the Centers for Disease Control and Preven-  
14 tion, shall establish an advisory committee to  
15 assist in creating and conducting the education  
16 campaign under paragraph (1).

17 “(B) MEMBERSHIP.—The Secretary, act-  
18 ing through the Director of the Centers for Dis-  
19 ease Control and Prevention, shall appoint to  
20 the advisory committee under subparagraph (A)  
21 such members as deemed necessary to properly  
22 advise the Secretary, and shall include organi-  
23 zations and individuals with expertise in breast  
24 cancer prevention, diagnosis, genetic screening



1           and counseling, treatment, and rehabilitation in  
2           young women.

3           “(b) HEALTH CARE PROFESSIONAL EDUCATION  
4 CAMPAIGN.—

5           “(1) IN GENERAL.—The Secretary, acting  
6           through the Director of the Centers for Disease  
7           Control and Prevention, and in consultation with the  
8           Administrator of the Health Resources and Services  
9           Administration, shall conduct an education cam-  
10          paign to increase awareness among physicians and  
11          other health care professionals—

12                   “(A) relating to the risk factors, risk re-  
13                   duction strategies, early diagnosis and treat-  
14                   ment of breast cancer in young women;

15                   “(B) on when to refer patients to a health  
16                   care provider with genetics expertise; and

17                   “(C) on how to provide counseling that ad-  
18                   dresses long-term survivorship and health con-  
19                   cerns of young women diagnosed with breast  
20                   cancer.

21           “(2) MATERIALS.—The education campaign  
22           under paragraph (1) may include the distribution of  
23           print, video, and Web-based materials on assisting  
24           physicians and other health care professionals in—

1           “(A) identifying generally the risk factors  
2           and early warning signs and symptoms of  
3           breast cancer specific to women under the age  
4           of 40 and the specific risk factors that would  
5           require increased monitoring;

6           “(B) counseling patients on the benefits of  
7           evidence based healthy lifestyles which reduce  
8           the risks of breast cancer;

9           “(C) counseling patients on the importance  
10          of consistent breast self exams to facilitate  
11          breast self awareness and teaching patients how  
12          to perform such exams;

13          “(D) understanding the importance of  
14          early diagnosis, including teaching young  
15          women the symptoms of breast cancer and early  
16          detection practices, including clinical breast  
17          exams, blood component analysis, genetic coun-  
18          seling and testing where appropriate, and other  
19          strategies determined to be appropriate by the  
20          Secretary; and

21          “(E) the unique long-term effects faced by  
22          young women with breast cancer that will need  
23          to be addressed over their lifetimes, including—

24                  “(i) re-entry into the workforce or  
25                  school;

- 1                   “(ii) infertility as a result of treat-  
2                   ment;  
3                   “(iii) neuro-cognitive effects;  
4                   “(iv) important effects of cardiac, vas-  
5                   cular, muscle, and skeletal complications;  
6                   and  
7                   “(v) secondary malignancies.

8           “(c) PREVENTION RESEARCH ACTIVITIES.—The Sec-  
9   retary, acting through the Director of the Centers for Dis-  
10 ease Control and Prevention, shall conduct prevention re-  
11 search on breast cancer in younger women, including the  
12 following:

13           “(1) Behavioral and other research on the im-  
14 pact of breast cancer diagnosis on young women.

15           “(2) Formative research to assist with the de-  
16 velopment of educational messages and information  
17 for the public, targeted populations, and their fami-  
18 lies about breast cancer.

19           “(3) Surveys of physician and public knowledge,  
20 attitudes, and practices about breast cancer preven-  
21 tion and control in high-risk populations.

22           “(d) SUPPORT FOR YOUNG WOMEN DIAGNOSED  
23 WITH BREAST CANCER.—

24           “(1) IN GENERAL.—The Secretary shall award  
25 grants to organizations and institutions to provide

1 health information from credible sources and sub-  
2 stantive assistance directed to young women diag-  
3 nosed with breast cancer on—

4 “(A) education and counseling regarding  
5 fertility preservation;

6 “(B) support, including social, emotional,  
7 psychosocial, financial, lifestyle, and caregiver  
8 support;

9 “(C) familial risk factors; and

10 “(D) risk reduction strategies to reduce re-  
11 currence or metastasis.

12 “(2) PRIORITY.—In making grants under para-  
13 graph (1), the Secretary shall give priority to appli-  
14 cants that deal specifically with young women and  
15 breast cancer.

16 “(e) NO DUPLICATION OF EFFORT.—In conducting  
17 an education campaign or other program under sub-  
18 sections (a), (b), (c), or (d), the Secretary shall avoid du-  
19 plicating other existing Federal breast cancer education  
20 efforts.

21 “(f) MEASUREMENT; REPORTING.—The Secretary,  
22 acting through the Director of the Centers for Disease  
23 Control and Prevention, shall—

24 “(1) measure young women’s awareness regard-  
25 ing breast cancer, including knowledge of specific

1 risk factors and early warning signs, and young  
2 women’s proactive efforts at early detection, includ-  
3 ing seeking out information on risk-reducing lifestyle  
4 choices, the number or percentage of young women  
5 receiving regular clinical breast exams, the number  
6 or percentage of young women who perform breast  
7 self exams, and the frequency of such exams, before  
8 the implementation of this section;

9 “(2) establish quantitative benchmarks to meas-  
10 ure the impact of activities under this section;

11 “(3) not less than every 3 years, measure the  
12 impact of such activities; and

13 “(4) submit reports to the Congress on the re-  
14 sults of such measurements.

15 “(g) DEFINITIONS.—In this section—

16 “(1) the term ‘State’ means each of the several  
17 States, the District of Columbia, the Commonwealth  
18 of Puerto Rico, American Samoa, Guam, the Com-  
19 monwealth of the Northern Mariana Islands, and  
20 the United States Virgin Islands; and

21 “(2) the term ‘young women’ means women 15  
22 to 39 years of age.

23 “(h) AUTHORIZATION OF APPROPRIATIONS.—To  
24 carry out this section, there are authorized to be appro-

1 priated \$9,000,000 for each of the fiscal years 2010  
2 through 2014.”.

○